

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### CHAPTER 102 – Non-Financial Requirements

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#### 102.05.09 **BATTERED ALIENS**

Battered aliens were not initially included in PRWORA's definition of qualified aliens. In passing Section 501 IIRIRA, Congress added a new Section 4319(c), which provides that the term "qualified alien" shall include such immigrants.

- The alien must be either
  - The person battered,
  - The parent of a child who is battered or
  - A child whose parent has been battered.
- The battered alien must not be residing in the same household with the person responsible for the battery or extreme cruelty.
  - If the battered alien resumes living with the one who is responsible for the battery or extreme cruelty, the battered alien's eligibility will end the month after the month of reconciliation.
- The alien must be the beneficiary of a petition for
  - Immediate relative status;
  - Classification to immigrant status based on relationship to a lawful permanent resident alien; or
  - Suspension of deportation and adjustment to lawful permanent resident status.
- The alien must also be able to show a substantial connection between the battery or extreme cruelty and the alien's need for Medicaid.
  - This may include such reasons as Medicaid is needed to obtain medical attention or mental health counseling caused by abuse, to replace medical coverage and/or health services lost when the individual separated from the abuser, to enable the individual to become self-sufficient following separation from the abuser or to provide medical care during a pregnancy resulting from the abuser's sexual assault or abuse of, or relationship with, the individual.